

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

UNITED STATES OF AMERICA,

Plaintiff,

v.

JUDITH D. LUPEX,

Defendant.

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Criminal No. **05-30171-WDS**

ORDER

PROUD, Magistrate Judge:

The Court has received a Violation Report/Request for Modification of Conditions from the U. S. Probation Office, dated November 21, 2005. The Report indicates that defendant has tested positive for cocaine by urinalysis and has admitted to using cocaine while on supervision. The Probation Office has referred defendant to Gateway Foundation for residential substance abuse treatment. However, the staff at that facility determined that defendant was ineligible for their program because she appears to have untreated mental health issues. Gateway's program requires that she undergo mental health assessment and a thirty day period of medication before being accepted into residential treatment there.

The Probation Office has secured an alternate placement for defendant in the residential treatment program at Franklin-Williamson Human Services. She is to be admitted to that program on November 23, 2005, assuming that she tests negative for drugs on intake.

Because it appears that defendant has mental health issues, the Probation Office seeks a modification of conditions to require defendant to undergo psychiatric evaluation and/or treatment. The Probation Office represents that defendant, her attorney, and the AUSA have no

objections to the proposed modification.

The Court finds it appropriate to modify the conditions of bond as requested by the Probation Office.

On the Court's own motion, the conditions of pretrial release for defendant Judith D. Lupex (**Doc. 6**) are **MODIFIED to include the following**:

Defendant shall undergo psychiatric evaluation and/or treatment as directed by the U.S. Probation Office.

The Clerk of Court is directed to serve a copy of this Order on the U.S. Probation Office.

IT IS SO ORDERED.

DATED: November 23, 2005.

s/ Clifford J. Proud
CLIFFORD J. PROUD
UNITED STATES MAGISTRATE JUDGE